

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with L. Grant Foster, Reg. No. 33,236; on July 14, 2009.

2. The application has been amended as follows:

In claim 32, line 11, delete "where," and in its place, insert --when--.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, alone or in combination discloses a tissue puncture closure device having, inter alia, a carrier tube, a filament, an anchor, and a sealing plug or first external component, and a second external component folded and engaged with the first external component, where the external component comprises a sponge material, where the sealing plug comprises an X-shape in cross-section and the filament alternately extends through holes in two cross members of the sealing plug in a spiral pattern or at least four holes in the sealing plug, where the external component comprises two legs folded along a centerline, and where first and second external components are each folded into generally U-shapes and the filament passes through one hole in the first component and one hole in the second component before passing

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through a hole in the anchor, and where the filament passes through another hole in the first component and another hole in the second component after passing through the hole in the anchor. Also, none of the prior art of record, alone or in combination discloses a tissue puncture closure device having, inter alia, an insertion sheath, a filament, an anchor, and a sealing plug or first external component, and a second external component folded and engaged with the first external component, where the sealing plug is tri-folded into a shape with an S-shaped cross-section, where folds are substantially parallel to a longitudinal axis of the sealing plug

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian W. Woo whose telephone number is 571-272-4707. The examiner can normally be reached on M-TH:6:30-4:00; alt. Fri.: 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tan-Uyen (Jackie) Ho can be reached on 571-272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Julian W. Woo/  
Primary Examiner, Art Unit 3773